



RE NEWS



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INSIDE THIS ISSUE • INSIDE THIS ISSUE • INSIDE THIS ISSUE • INSIDE THIS ISSUE

RR Program Audit of Institutional Controls Underway.....1

New and Improved On-line Databases Hit The Internet!.....2

Air & Waste Division's 2004 Annual Report Is Here!.....3

Amery Fire Station Rescues Downtown Brownfield Property.....4

DNR Co-Hosts Waterfront Revitalization Conference April 13 In Sheboygan.....5

Insiders Look at the RR Web Site – Success in 2004, Challenges in 2005.....6

Staff Changes.....7

Mailing Address Change for Southeast Region!.....7

FEATURE

RR Program Audit of Institutional Controls Underway

The Remediation and Redevelopment (RR) Program works with the U.S. Environmental Protection Agency (EPA) on a number of different clean-up and redevelopment activities. One of the grants the RR Program has with EPA requires an audit of contaminated sites that have been cleaned up and closed with institutional controls.

Institutional Controls (ICs) are legal and administrative tools used by many state environmental agencies. Examples of institutional controls include protective barriers (e.g. a soil or asphalt cap on top of the contamination), restrictions placed on property deeds and listing in a public database such as the DNR's GIS Registry of Closed Remediation Sites.

Institutional controls are required under certain conditions established by state rules, but are also utilized as a discre-

tionary tool when conditions warrant. The goals behind using ICs include: 1) to reduce exposure to contamination by limiting land or groundwater use; 2) to require or restrict certain actions; or 3) to give notice of residual contamination to prospective purchasers and other parties. The audit is intended to examine how well these goals are being achieved.

Audit Steps

During an audit on a site that was closed with institutional controls, RR staff complete a file review, interview the site owner and make a site visit to determine whether the site is still in compliance with the conditions of closure. In 2004, program staff completed 24 audits, and from those inspections, follow-up action was needed at five sites that were out of compliance.

RR PROGRAM AUDIT OF INSTITUTIONAL CONTROLS UNDERWAY (CON'T.)



For four of the sites, staff identified the following post-closure compliance problems:

- the property owner removed the protective cap over contaminated soil;
- a protective cap was found in disrepair;
- a required deed restriction that had not been recorded at the county register of deeds office; and
- the property owner failed to perform annual cap inspections as required in their cap maintenance plan.

Regional staff have worked with the responsible parties and/or site owners to ensure that these sites return to compliance. Also, new environmental discharge from a drum storage area was discovered at a fifth site that was unrelated to the closed area staff were evaluating. The RR Program is currently following up with that problem as well.

2005 Work and “For More Information”

The RR Program has continued the audit in 2005, applying the audit process to 50 additional closed sites. Once these additional 50 audits are completed, staff will evaluate the information and provide a summary of the results. For more information about the IC audit, please contact John Burnett at 608-266-2632, or john.burnett@dnr.state.wi.us. Also, more information about ICs can be found in *Guidance on Case Close Out and the Requirements for Institutional Controls and VPLE Environmental Insurance* (publication #RR-606) at <http://dnr.wi.gov/org/aw/rr/archives/pubs/RR606.pdf>.

New and Improved Online Databases Hit The Internet!

This month the RR Program will unveil it's new and improved online resources for listing contaminated properties.

The program has upgraded *BRRTS on the Web*, which serves as the state's Internet database for thousands of contaminated properties. Complementing this resource is the GIS Registry of Closed Remediation Sites, which DNR staff upgraded at the end of 2004.



“With the improvements we’ve made to *BRRTS on the Web* and the GIS Registry, the RR Program continues to provide state-of-the-art resources to help the public find information on contaminated properties,” said RR Bureau Director Mark Giesfeldt.

New *BRRTS on the Web* improvements include:

- providing users with different options for conducting basic or more advanced searches;
- a more user-friendly layout of information on each web page and a wider variety of information available for each site; and
- a new reliability tool, which shows how often and how consistently certain pieces of information were collected by DNR staff.

The *BRRTS on the Web* resource was created by the RR Program in 1999, and is based on the program's database entitled “Bureau for Remediation and Redevelopment Tracking System” or BRRTS. Prior to *BRRTS on the Web*, the public was unable to conveniently access information online, and often had to rely on DNR staff for assistance.

NEW AND IMPROVED ON-LINE DATABASES HIT THE INTERNET! (CON'T.)

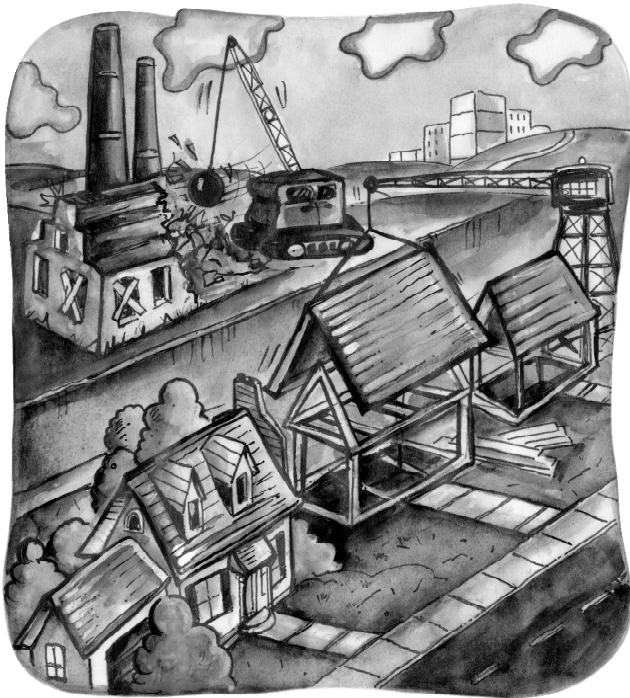
Established in November 2001, the GIS Registry is a subset of BRRTS and includes properties that have been cleaned up and closed with groundwater or soil contamination above state standards. "Closed" properties are sites where a party has sufficiently cleaned up contamination to meet state standards.

Sites in the Registry were closed with remaining groundwater contamination because natural attenuation is occurring in groundwater at these sites, or the sites were closed where soil contamination did not pose a significant impact on public health or the environment due to inaccessibility, or to actions taken at the site (e.g. placing a soil or asphalt cap on top of the soil contamination). "Natural attenuation" involves the natural processes in soil and groundwater to contain the spread and reduce the amount of contamination from chemical releases.

For More Information

To find *BRRTS on the Web* or the GIS Registry, please click on the following link: <http://dnr.wi.gov/org/aw/rr/brrts/databases.htm>.

For more information about the RR Program's information on contaminated properties, please contact Ed Lynch, 608-266-3084, or edward.lynch@dnr.state.wi.us.



Air & Waste Division's 2004 Annual Report Is Here!

In January the DNR's Air & Waste Division issued its Annual Report for 2004. Highlights in the 49-page report include the receipt of the largest EPA brownfields grant in the nation; elimination of the federal Air Operations Permits backlog; implementation of the "Green Tier" law; and streamlining regulation of waste facilities.

"2004 was a challenging and rewarding year for the Air & Waste Division as we continued regulatory improvement efforts in a responsive, efficient, timely, effective and consistent manner," said Air & Waste Division Administrator Al Shea.

The Air & Waste Division consists of the following programs: Air, Cooperative Environmental Assistance (CEA), Remediation and Redevelopment (RR), and Waste.

Additional RR highlights include successes about completed closures, spills cleanup and brownfield redevelopments. To view the RR Program successes in the Annual Report, please check out the following link: http://www.dnr.wi.us/org/aw/rr/cleanup/rr_success.htm. To view the entire report, please go to: <http://dnr.wi.gov/environmentprotect/ar.pdf>.



SUCCESS STORIES

Amery Fire Station Rescues Downtown Brownfield Property



The Super Locker property prior to the removal of contaminated soil and demolition of the building (photo courtesy of Mike Hultgren, Pinnacle Engineering).

If someone asked you where to find brownfields, northern Wisconsin might not be the first place you'd think of for abandoned buildings, contaminated properties or blighted eyesores.

Yet brownfields are, unfortunately, a part of rural communities as much as they are for more populated, urban areas. In Amery, a city of 3,000 people located in the scenic lake country northwest of Eau Claire, officials have been dealing with a contaminated property that has hosted a number of businesses over the past 80 years.

From Ice Cream To Cutlets

From the 1930s to the 1960s, this downtown site had been used for many purposes – a gas station, a bulk oil terminal, a car dealership – even an ice cream plant. It's most recent use was as a meat locker and retail meat store. Due to its location – along a shopping district and adjacent to a city park and the Cat Tail Recreation Trail– officials made the decision to tackle this eyesore as part of their redevelopment efforts along the Apple River.

Site remediation work that has occurred on the property for the past several years included the removal of two above-ground storage tanks and more than 2,300 cubic yards of contaminated soil. The city worked cooperatively with the RR Program as well as with staff from the Department of Commerce, using funds from the Petroleum Environmental Cleanup Fund Award (PECFA) Program to complete the cleanup. The site was granted closure by the DNR in 2003.

Final Redevelopment

The owner of the site donated the land and \$500,000 to the city, which officials used to demolish the building and construct a new city fire station. Planners incorporated a brick façade and historic design features. The project was completed in the spring of 2004 and has become the centerpiece of the city's downtown renewal efforts. In his remarks about the city's new facility, Amery Mayor Harvey Stower expressed his appreciation to the DNR for the excellent cooperation in working with the community to return this brownfield back into a productive property.



Amery's new fire station, located on the former Super Locker property, completed in the spring of 2004 (photo by Phil Richard, DNR).

DNR Co-Hosts Waterfront Revitalization Conference April 13 In Sheboygan

This spring the DNR is co-hosting an exciting event on waterfront revitalization that many local officials will be interested in attending!

In cooperation with the Great Lakes Commission and other key state partners, the DNR is co-hosting the 2005 Waterfront Revitalization Conference on Wednesday, April 13, at the Blue Harbor Resort and Conference Center in Sheboygan, Wisconsin. The Blue Harbor Resort was chosen because of its location on Lake Michigan's coast and its brownfield history as the former C. Reiss Coal facility.

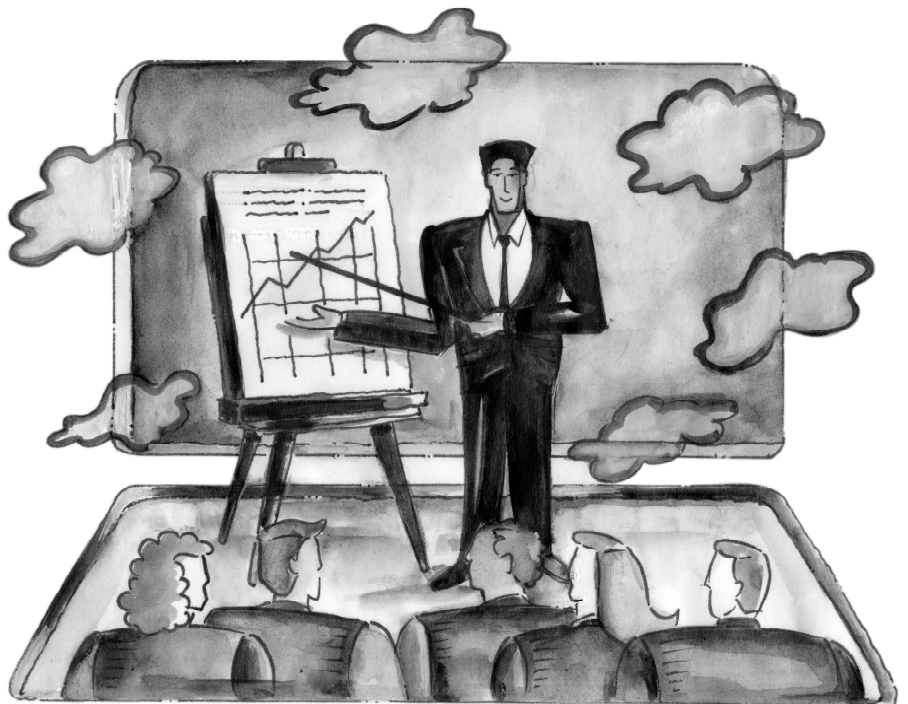
The goal of the conference to help local officials, developers, planners and other interested parties enhance waterfront community revitalization efforts by bringing various resources together in a more collective, comprehensive way.

Based on the success of this conference, additional conferences may be held in 2005 and 2006. In addition, a multi-agency, multi-government web site will be established as a "One Stop Shop" for key communities and parties undertaking waterfront revitalization.

The Great Lakes Commission (GLC), through its work in the 1990s and 2000s, affirmed the need for greater linkages between brownfields redevelopment and greenfields protection along waterfronts. In 2002, the Commission launched a series of state policy roundtables to promote these linkages, including Michigan (2002) and Ohio (2003).

This year the Commission is putting on a Wisconsin conference with the help of DNR staff and staff from the departments of Administration; Agriculture, Trade and Consumer Protection; Commerce; and Transportation; 1,000 Friends of Wisconsin; Gathering Waters Conservancy; Wisconsin Land and Water Conservation; and individuals from local governments and the University of Wisconsin-Milwaukee.

For more information about the conference, please see the following link: www.glc.org/wiconference, or contact Becky Lamecka at the Great Lakes Commission at 734-971-9135, or blameka@glc.org.





Insiders Look at the RR Web Site – Success in 2004, Challenges in 2005

The past year has been another successful venture into further developing the RR Program's online resources. We believe our web site is a vital component to our program outreach, thanks to its ability to provide customers with 24 hour/7 days-a-week access to the latest information.

In 2004, we continued to make strides with improving this critical outreach tool. Some of the successes included:

- a complete archive of the RR Listserv (now referred to as "RR news from the DNR") – <http://dnr.wi.gov/org/aw/rr/general/listserv.html>;
- a great new "Index of Topics" page that helps you get where you need to go quickly - http://dnr.wi.gov/org/aw/rr/general/index_of_topics.html;
- an online calendar with a variety of upcoming conferences, trainings, and other exciting events - <http://dnr.wi.gov/org/aw/rr/general/calendar.htm>;
- an "Accomplishments and Successes" page, which houses the 2002-2003 Annual Report (our first "online only" annual report), and various RR Program accomplishments and success stories – http://dnr.wi.gov/org/aw/rr/cleanup/rr_success.htm;
- a new "Local Government Toolbox" page, which provides easy navigation around our web pages to help customers find local government resources – http://dnr.wi.gov/org/aw/rr/liability/lgu_toolbox.html; and
- a revised Ashland/NSP Lakefront site page, which includes new and updated information and photos – <http://dnr.wi.gov/org/aw/rr/cleanup/ashland.html>.

What's In Store For 2005?

This year we're ready for the challenge of improving our public information efforts, including the following web enhancements:

- a new page with details on the Wisconsin Brownfields Coalition's \$4 million brownfield grant and the application process (the coalition includes DNR, the Department of Commerce and all nine Wisconsin Regional Planning Commissions);
- an upgraded *BRRTS on the Web* and GIS Registry (see details on page 2);
- an expanded Accomplishments page, which will include our second on-line Annual Report and fresh information on successful program cleanups;
- a new page highlighting the Dry Cleaners Environmental Response Council and it's part in the DNR's Dry Cleaner Environmental Response Fund (DERF) Program;
- a new, comprehensive budget page covering issues related to the RR Program, which will help inform our customers during the coming state budget discussions;
- an expanded Success Story section, which will include multiple new stories in an easy to read, online format; and
- much, much more!

The RR web pages will keep expanding and growing, and we are always looking for new and exciting ways to provide our information to customers. Feel free to send comments and suggestions at any time to our web publisher, Megan Clemens, at 608-261-4391, or megan.clemens@dnr.state.wi.us, so that we can better improve our customer service.

Staff Changes

Northeast Regional Office Is Moving!

The DNR's Northeast Regional Office is moving to a new address in March. The new contact information:

Wisconsin DNR
2984 Shawano Avenue
P.O. Box 10448
Green Bay 54307-0448
RR Program Fax: 920-662-5197
(Shawano Avenue zip code: 54313)

New phone numbers for staff will be available on the RR Program web site soon.



Central Office

Michele Chalice will be taking the position of the new Natural Resources Financial Assistance Specialist for the RR Program. Michele has worked for the DNR since 1998. She was a Natural Resources Planner working in the Southcentral Region, working on master plans and site development projects. Michele has also worked on storm water, Smart Growth and groundwater supply issues. Welcome Michelle!

Melanie Jacobs joins the Central Office as the new Grants and Loans Limited Term Employee (LTE) for the RR Program. Melanie has an environmental science/conservation background and has already worked for the RR Program in the Southeast Regional office. Welcome Melanie!

West Central

Cyndi Thomas is the new Brownfields Outreach LTE for the West Central Region. Cyndi replaces Mae Willkom, who was hired as a permanent, full time hydrogeologist for the RR Program. Cyndi comes to the RR Program with a non-profit administration background. Welcome Cyndi!

Mailing Address Change for Southeast Region!

Effective February 2005, the post office box previously used by the DNR's Southeast Region has been eliminated as a cost saving measure. Please address all future correspondence to the following mailing address:

**Wisconsin Department of Natural Resources
Milwaukee Service Center
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, WI 53212**

Our office location and phone numbers remain the same for the region, which includes the Waukesha, Plymouth and Sturtevant service centers.

RENEWMS

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For More Information: *Re Newms* is published quarterly by the Wisconsin Department of Natural Resources Bureau for Remediation and Redevelopment.

This newsletter is available in alternate format upon request. Please call 608-267-3543.

Our Web Site Is: <http://www.dnr.wi.gov/org/aw/rf>

Refer comments and questions to :

Bureau For Remediation & Redevelopment
Wisconsin DNR
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Madison, WI 53707 608-261-6422

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This newsletter may contain summary information about certain state statutes and/or rules and does not include all of the details found in the statutes/rules. Readers should consult the actual language of the statutes/rules to answer specific questions.

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